

### **REMARKS**

In response to the Office Action received September 19, 2007, Applicant respectfully requests reconsideration. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-12, 18-29, 35-46 and 52-69 were previously pending in this application. Claims 52-54 are amended herein. No claims are added or canceled. As a result, claims 1-12, 18-29, 35-46 and 52-69 remain pending for examination, with claims 1, 18, 35 and 52-54 being independent. No new matter has been added.

### **Claim Rejections Under 35 U.S.C. §103**

Claims 1-12, 18-29, 35-46 and 52-69 are rejected under 35 U.S.C. §103(a) as purportedly being obvious over U.S. Patent No. 6,122,635 to Burakoff et al. ("Burakoff") in view of U.S. Patent No. 6,253,239 to Shklar et al. ("Shklar"). Applicant respectfully traverses this rejection, as no combination of the cited references satisfies all of the limitations recited by the claims, and one skilled in the art would have had no reason at the time of the invention to modify the system of Burakoff according to the teachings of Shklar.

#### **A. Brief Overview of Embodiments of the Invention**

Embodiments of the invention relate generally to accessing data, and more particularly to providing a reference to a data element in a source data structure or file (see Applicant's specification at, e.g., p. 1, lines 12-14). By way of background, Applicant's specification explains that securities exchanges and regulatory agencies require that issuers of securities (e.g., mutual funds) make certain information available to potential investors before a security can be sold (p. 1, lines 17-18). Recently, securities issuers have been allowed to make this information available to

investors in electronic form (p. 1, lines 21-22). One facility used to make information available in electronic form is the Electronic Data Gathering, Analysis, and Retrieval (EDGAR) system maintained by the United States Securities and Exchange Commission (SEC) (p. 1, lines 23-25). The EDGAR system stores various documents which the SEC requires securities issuers to file, and is publicly accessible to users via the Internet (p. 1, lines 25-27).

One drawback with the EDGAR system is that documents filed by securities issuers are not stored in a way that allows the "layman" investor to be able to quickly locate all of the information filed for a particular security (p. 1, lines 31-32). For example, there may be numerous filings relating to any one security, as well as amendments, supplements, corrections, etc. to each (p. 2, lines 2-4). In addition, each filing may include information on more than one security (p. 2, lines 2-4). As a result, an investor looking for all of the information on a particular security must generally review, parse, reconcile and organize numerous filings (p. 2, lines 6-7).

The present application incorporates by reference commonly assigned U.S. Patent No. 6,122,635 to Burakoff et al., which is cited by the Office Action in rejecting the claims (p.2, lines 9-12). Burakoff describes a system which resolves many of the issues outlined above. Specifically, the system of Burakoff electronically compiles and reconciles securities filings so as to provide a complete, concise, user-friendly and accessible set of information for investors (Abstract).

Applicant has recognized that while the system of Burakoff provides a valuable and useful function in organizing securities information into a user-friendly and accessible form, some users may wish to have the ability to "back-track" from that organized form to the form in which the information was originally filed (e.g., on EDGAR). For example, users may wish to verify that a particular data element is accurate as presented, or view more detail relating to a particular data element (p. 2, lines 18-22). For instance, a user viewing a compiled and reconciled version of information relating to fees charged by a particular mutual fund (e.g., generated by the system of Burakoff) may wish to back-track to the raw filing loaded to EDGAR by the issuer of the fund in which the fee structure was explained, such as to determine whether a particular discount applies to the user (p. 2, lines 22-25).

Some embodiments of the invention provide this capability. In particular, some embodiments of the invention provide a method which includes identifying, through the execution of programmed instructions, a source location, such as a portion of a file (e.g., a securities filing) in which a data element is stored (p. 2, lines 15-18). An indication of the source location may be stored, and used to access the data element at the source location (p. 5, lines 18-19). For example, a user or programmed procedure may issue a request to access the data element, and an indication of the source location may be employed to retrieve it (p. 2, lines 22-25).

The foregoing summary is provided to assist the Examiner in appreciating some aspects of the invention. However, this summary does not necessarily apply to each independent claim, and the language of each independent claim may differ in material respects from the examples described above. Thus, Applicant respectfully requests that the Examiner give careful consideration to the language of each independent claim and to address each on its own merits, without relying on the summary above. In this respect, Applicant does not rely upon the foregoing to distinguish any claim over the prior art, but rather relies only upon the remarks below.

B. Brief Overview of Cited References

1. Burakoff

As noted above, Burakoff, which is commonly assigned with the present application, discloses a system for processing securities information stored in one or more repositories, and compiling and organizing the information relating to particular securities (col. 1, line 64 – col. 2, line 3). In particular, the system of Burakoff may take as input the filings of securities issuers stored on one or more repositories, catalog the information (e.g., to identify all information relating to particular securities), determine the start and end points of individual filings, and determine the effective date for each (col. 6, lines 14-33). The system of Burakoff may produce output in the form of a computer-readable file containing items of information relating to a particular security (col. 9, lines 20-23).

2. Shklar

Shklar discloses a system for indexing content stored at various locations on the Internet (Abstract; col. 2, lines 16-18). In particular, the system of Shklar analyzes “documents” stored at various locations, discerns each document’s logical structure, and identifies the logical units into which each document may be divided (col. 2, lines 18-23; col. 4, lines 53-61). For example, a document containing three news items separated by asterisks may be divided into three logical units, one for each news item (FIG. 2; col. 4, lines 52-61). The system stores metadata identifying each logical unit, thereby allowing users to access an individual logical unit at its location within a document (col. 2, lines 23-29).

FIG. 1 of Shklar, which illustrates the manner in which the system responds to user requests to retrieve individual logical units, depicts terminal 110, which executes a browser (col. 4, lines 17-24). Using terminal 110, the user submits a request for content to server 130, which stores metadata representing individual logical units (col. 4, lines 40-41). Each logical unit is represented by a different metadata object that includes the information necessary to retrieve it (col. 4, lines 60-61; col. 5, lines 13-16). In response to the user’s request, server 130 retrieves the metadata for the requested logical unit, and employs it to retrieve the logical unit on server 140 (col. 4, lines 25-32 and 41-42).

C. Independent Claims 1, 18 and 35

Each of independent claims 1, 18 and 35 includes limitations directed to executing a set of programmed instructions on a source file to identify a source location, which contains a data element, within the source file. An indication of the source location is stored. A request is received, from a user viewing a file other than the source file, to retrieve the data element at the source location. The indication of the source location is employed to retrieve the data element at the source location.

The Office Action contends that Burakoff satisfies all of the limitations of independent claims 1, 18 and 35 except for receiving a request, from a user viewing a file other than a source

file, to retrieve a data element at a source location, and employing an indication of the source location to retrieve the data element at the source location. The Office Action contends that Shklar satisfies these limitations. The Office Action further contends that it would have been obvious to one skilled in the art at the time of the invention to modify the system of Burakoff according to the teachings of Shklar to provide “flexible access to heterogeneous information from numerous sources.”

These contentions are unsupported by the references, as no combination of the cited references satisfies all of the limitations of claims 1, 18 and 35, and one skilled in the art would have had no reason to modify the system of Burakoff according to the teachings of Shklar. These points are discussed in turn below.

1. No Combination Of The Cited References Satisfies All Of The Claim Limitations

No combination of the cited references satisfies all of the limitations recited by independent claims 1, 18 and 35, as neither cited reference discloses receiving a request, from a user viewing a file other than a source file, to retrieve *a data element* at a source location, and employing an indication of the source location to retrieve *the data element* at the source location, as required by each of independent claims 1, 18 and 35.

At a fundamental level, each of the cited references disclose techniques for partitioning documents into logical segments and making the logical segments accessible to users. Thus, each reference discloses a technique for processing information *at the document level*. By contrast, each of claims 1, 18 and 35 includes limitations directed to retrieving *a data element* at a source location, and employing an indication of the source location to retrieve *the data element* at the source location. Neither reference says anything at all about a request to retrieve a data element, as each deals with information at the document level.

For example, Shklar, which the Office Action relies upon to satisfy the claim limitations directed to receiving a request to retrieve a data element at a source location, discloses a technique for dividing a document into logical units and making those units accessible to users (Abstract).

Shklar discloses a process of retrieving a logical unit upon receiving a user's request (see FIG. 1). Nowhere does Shklar say anything at all relating to receiving a user's request to retrieve a data element at a source location, as required by each of claims 1, 18 and 35. Burakoff fails to remedy this deficiency of Shklar, as Burakoff says nothing at all about receiving a request to retrieve a data element at a source location.

Because neither cited reference discloses receiving a request to retrieve a data element at a source location, no combination of the cited references satisfies all of the limitations of independent claims 1, 18 and 35.

2. One Skilled In The Art Would Not Have Had Reason At The Time Of The Invention To Modify The System Of Burakoff According To The Teachings Of Shklar

In addition, one skilled in the art would have had no reason at the time of the invention to combine the references in the manner asserted. Specifically, Shklar teaches away from the asserted combination.

Burakoff is relied upon to satisfy limitations directed to executing a set of programmed instructions on a source file to identify a source location within the source file which contains a data element. However, Shklar explicitly discloses that identifying "source locations" (i.e., logical units within a document) requires a programmer to first manually view the document's format, and then write a type specification defining how the logical units are delimited within the document (col. 6, lines 24-34). Shklar explicitly states that the manually-defined type specification is required in the system of Shklar for a logical unit to be retrievable (col. 5, lines 52-67). Because the system of Shklar would not be able to retrieve logical units without a manually-defined type specification, Shklar teaches away from a combination of the references in which a set of programmed instructions is executed on a source file to identify a source location, as taught by Burakoff. For this reason, one skilled in the art would not have had reason to combine the references in the manner asserted by the Office Action.

In view of the foregoing, a *prima facie* case of obviousness with respect to independent claims 1, 18 and 35 has not been established, such that the rejection of claims 1, 18 and 35, and of the claims that depend respectively therefrom, under 35 U.S.C. §103(a) as purportedly being obvious over Burakoff in view of Shklar should be withdrawn.

D. Claims 52-54

Each of independent claims 52, 53 and 54 is amended herein to include limitations directed to receiving a request from a user to access at least one data element at a source location. As discussed above with reference to claims 1, 18 and 35, neither of the cited references discloses or suggests receiving a request from a user to access at least one data element at a source location. In addition, one skilled in the art would not have had reason to modify the system of Burakoff according to the teachings of Shklar, as the Office Action contends. Accordingly, the rejection of independent claims 52, 53 and 54 under 35 U.S.C. §103(a) as purportedly being obvious over Burakoff in view of Shklar should be withdrawn.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed In view of the above amendment, applicant believes the pending application is in condition for allowance.

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